



October 16, 2003

U.S. Environmental Protection Agency
1650 Arch Street
Philadelphia, PA 19103
Attention: Amy Cohen (3WP32)

Re: Mountaire Farms of Delaware, Inc.
Order on Consent

Dear Ms. Cohen:

In accordance with paragraph 51 of the above-referenced Order on Consent, we are submitting the attached written report summarizing all actions taken in accordance with this Order ("Progress Reports") for the third quarter, 2003.

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to properly gather and evaluate information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Sincerely,

A handwritten signature in cursive script, appearing to read "David Pogge".
David Pogge
President and Chief Operating Officer



Mountaire Farms of Delaware, Inc.
P.O. Box 1320, Millsboro, Delaware 19966
(302) 934-1100 Toll Free (877) 887-1490

"We measure quality by how well we service our internal and external customers"

Cc: Edward Hallock (Delaware Dept. of Health & Social Services)
Rodney Wyatt (Delaware Dept. of Natural Resources & Environmental Control)
John Wren (Mountaire Farms)
Jeff Smith (Mountaire Farms)
Walter Moorhead (Mountaire Farms)
Mark Beachboard (Mountaire Farms)
Gordon Serman (Mountaire Farms)
Jeremy Homer (Parkowski, Guerke & Swayze)

**Quarterly Progress Report
(Reference Paragraph 51 of Order)**

2nd Quarter, 2003 (April-May-June):

- Per paragraph 34, all residents identified by sampling of nitrates above 10 mg/l who have requested bottled water have received bottled water.
- Per paragraph 36, a plan to provide a permanent alternate water supply was submitted via certified mail on July 16, 2003 to EPA for review and approval, with copies to DNREC and DHSS.
- Per paragraph 38, the wastewater treatment/spray irrigation system is being operated in a manner to control nitrogen loadings to the spray fields; the production wells are in operation (no irrigation wells operated due to substantial precipitation during the time period); quarterly groundwater sampling in progress.
- Per paragraph 47, a copy of the Order was sent to the following contractors via certified mail:
 - o Envirocorp Inc (testing laboratory); Date of delivery 6-12-03
 - o Eastern Shore Coffee (bottled water supplier); Date of delivery 6-14-03
 - o A.C. Schultes of DE (well driller); Date of delivery 6-30-03
- Monitoring well #38 replacement installed on 6-25-03.

3rd Quarter, 2003 (July-August-September)

- Certified letters mailed to the following residents explaining the Order and requesting a meeting to discuss alternate water supply:
 - o Charles Burton
 - o Junior Lee & Martha Wise
 - o Preston Wise
 - o Patsy Taylor
 - o Richard & Patricia Johnson
 - o Robert & LouAnn Johnson
 - o Tom & Monica Johnson
- All letters received by the residents (copy of a sample letter and return receipts attached).
- Per paragraph 38, the wastewater treatment/spray irrigation system continues to be operated in a manner to control nitrogen loadings to the spray fields; the production wells are in operation and approximately 3.03 million gallons of groundwater was sprayed on the Cordrey Farm from the irrigation well located by spray field WHBJ 1; quarterly groundwater monitoring completed including the newly installed MW 38.



August 21, 2003

Charles Burton
RR 13 Box 13
Millsboro, DE 19966

Dear Mr. Burton:

As you are aware, Mountaire Farms has been providing you bottled water while we have been discussing with the U.S. Environmental Protection Agency (EPA) the next course of action to address the presence of nitrates in the groundwater above drinking water standards. As a result of these discussions, Mountaire Farms has entered into a voluntary "Order on Consent", which outlines certain steps we will be taking to provide you with a permanent alternate water supply, at no cost to you.

We have identified two options which will be available for you to choose. One option is the replacement of your existing drinking water well with a new, deep well. The second option is the installation of an ion exchange "point-of-entry" water pretreatment unit, approved by the Delaware Department of Health and Social Services.

Please contact me at your earliest convenience at (302) 934-3094 so that I may meet with you personally to further explain the options noted above and to answer any questions that you may have regarding this issue.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeffrey Smith".

Jeffrey Smith, REM
Environmental Manager
Mountaire Farms Inc.



Mountaire Farms of Delaware, Inc.
P.O. Box 1320, Millsboro, Delaware 19966
(302) 934-1100 Toll Free (877) 887-1490

"We measure quality by how well we service our internal and external customers"

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

PRESTON WISE
RR 10 BOX 13
MILLSBORO DE 19966

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) Martha V. Wise B. Date of Deliv 8-26-03C. Signature x Martha V. Wise ☐ Agent ☐ AddressD. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchanc
☐ Insured Mail ☐ C.O.D.4. Restricted Delivery? (Extra Fee) ☐ Yes2. 7003 1010 0001 3126 4197

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-09

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

JUNIOR LEE & MARTHA WISE
RR 13 BOX 13
MILLSBORO DE 19966

2. Art

7003 1010 0001 3126 4210

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

COMPLETE THIS SECTION ON DELIVERY

- A. Received by (Please Print Clearly) Martha V. Wise B. Date of Delivery 8-26-03
- C. Signature X Martha V. Wise ☐ Agent ☐ Addressee
- D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- ☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

CHARLES BURTON
RR 13 BOX 13
MILLSBORO DE 19966

2. Article

7003 1010 0001 3126 4203

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

COMPLETE THIS SECTION ON DELIVERY

- A. Received by (Please Print Clearly) Charles Burton B. Date of Delivery 8-26-03
- C. Signature X Charles Burton ☐ Agent ☐ Addressee
- D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- ☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

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1. Article Addressed to:

ROBERT & LOU ANN JOHNSON
ROUTE 13 BOX 2
MILLSBORO DE 19966

2. Article Number (Optional)

7003 1010 0001 3126 4166

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

COMPLETE THIS SECTION ON DELIVERY

- A. Received by (Please Print Clearly) Robert Johnson B. Date of Delivery 8-26-03
- C. Signature X Robert Johnson ☐ Agent ☐ Addressee
- D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- ☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

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SENDER: COMPLETE THIS SECTION

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1. Article Addressed to:

PATSY TAYLOR
RR 10 BOX 12
MILLSBORO DE 19966

2. Article

7003 1010 0001 3126 4180

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-095

COMPLETE THIS SECTION ON DELIVERY

- A. Received by (Please Print Clearly) *Martha V. Wise* B. Date of Delivery *8-26-93*
- C. Signature *x Martha V. Wise* ☐ Agent ☐ Address
- D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- ☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
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- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

RICHARD & PATRICIA JOHNSON
RR 10 BOX 23
MILLSBORO DE 19966

2. Article

7003 1010 0001 3126 4173

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-095

COMPLETE THIS SECTION ON DELIVERY

- A. Received by (Please Print Clearly) *Patricia Johnson* B. Date of Delivery *8-26-93*
- C. Signature *x Patricia Johnson* ☐ Agent ☐ Address
- D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- ☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

TOM & MONICA JOHNSON
196 JERSEY RD
MILLSBORO DE 19966

2. Article

7003 1010 0001 3126 4159

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-095

COMPLETE THIS SECTION ON DELIVERY

- A. Received by (Please Print Clearly) *Andy Johnson* B. Date of Delivery *8-26-93*
- C. Signature *x Andy Johnson* ☐ Agent ☐ Address
- D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- ☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes